

### **NOTICE OF BOARD MEETING**

The Bristol Hotel  
1055 First Avenue, City Scene Room  
San Diego, CA 92101  
August 9, 2018  
Front Desk (619) 232-6141  
9:00 a.m. to 5:00 p.m.  
or until completion of business

The Board of Chiropractic Examiners (Board) plans to webcast this meeting at

<https://thedcapage.wordpress.com/webcasts/>.

Webcast availability cannot, however, be guaranteed due to limitations on resources or other technical difficulties that may arise. If you wish to participate or to have a guaranteed opportunity to observe, please attend at the location specified above.

### **AGENDA**

**1. Open Session – Call to Order & Establishment of a Quorum**

Heather Dehn, D.C., Chair  
Corey Lichtman, D.C., Vice Chair  
Sergio Azzolino, D.C., Secretary  
Dionne McClain, D.C.  
Frank Ruffino  
Thyonne Gordon, PhD

**2. Pledge of Allegiance**

**3. Hearing Re: Petition for Early Termination of Probation and/or Reduction of Penalty**

A. Michelle McMillan, D.C. Case No. AC 2015-1026

-----**15 Minute Break**-----

**4. Hearing Re: Petition for Reinstatement of Revoked License**

A. Michael Painter Case No. AC 2013-964  
B. Andy Nguyen Case No. AC 2011-892

**5. Closed Session**

The Board will meet in Closed Session to:

- A. Deliberate on Disciplinary Decisions and the above Petitions Pursuant to California Government Code Sections 11126(c) and 13963.1
- B. Receive Advice from Legal Counsel Pursuant to California Government Code Sections 11126(e) and section 13963.1. Regarding Hugh Lubkin, D.C. v. Board of Chiropractic Examiners Workers' Compensation Case No. ADJ7361379

-----1 Hour Lunch Break-----

**6. Open Session: Announcements Regarding Closed Session**

**7. Chair's Report**

Update on the Chair's Activities and Board's accomplishments and/or goals

**8. Approval of June 5, 2018, Board Meeting Minutes**

**9. Ratification of Approval of License Applications**

**10. Ratification of Denied License Applications in Which the Applicants Did Not Request a Hearing**

**11. Ratification of Approved Continuing Education Providers**

**12. Executive Officer's Report**

- A. Administration - Board staffing/organizational chart
- B. Budget - Fund condition update
- C. Licensing - Statistical trends
- D. Enforcement - Statistical trends

**13. Review, Discussion and Possible Action to Establish a Special Committee of the Board to Discuss Opening the Chiropractic Initiative Act of 1922**

**14. Review, Discussion, and Possible Action Regarding Procedures to Elect Board Officers**

-----15 Minute Break-----

**15. Review, Discussion, and Possible Action on Changes to the Board Member Administrative Procedure Manual**

**16. Review, Discussion and Possible Action Regarding Board Member Committee Assignments**

**17. Review, Discussion and Possible Action Regarding the Distribution of Board Meeting Materials**

**18. Review, Discussion and Possible Action Regarding Legislation from other States**

- A. Louisiana HB 748 (Emerson) Establishes the Occupational Licensing Review Act
- B. Louisiana HB 372 (Connick) Establishes the Occupational Board Compliance Act
- C. Missouri HB 1500 (Dogan) Reduction in Regulation of Certain Occupations

**19. Review, Discussion and Possible Action Regarding Revisions to Sections 330 – 331.16 (Curriculum Requirements)**

**20. Review, Discussion and Possible Action Regarding Cannabidiol (CBD)**

**21. Review, Discussion and Possible Action Regarding Telehealth**

**22. Review, Discussion and Possible Action Regarding the Definitions of Chiropractic Adjustive Technique and Chiropractic Manipulation Technique**

- 23. Review, Discussion and Possible Action on Whether the Board Should Grant Continuing Education Credit for Adjustive/Manipulation Techniques That Are Not Limited to a Doctor of Chiropractic**
- 24. Review, Discussion and Possible Action on B&P Section 1054 - Name of Chiropractic Corporation**
- 25. Review, Discussion and Possible Action Regarding SB 1480 (Hill) Professions and vocations**
- 26. Review, Discussion and Possible Action Regarding SB 1448 (Hill) Probation status: disclosure**
- 27. Review, Discussion and Possible Action Regarding AB 2138 (Chiu/Low) Denial of application: revocation or suspension of licensure: criminal conviction**
- 28. Update, Discussion and Possible Action on Pending Rulemaking:**
  - A. Application For Licensure (CCR Section 321) – **(Approved – Effective 10/1/18)**
  - B. Consumer Protection Enforcement Initiative (CPEI)
  - C. Revisions to BCE Disciplinary Guidelines & Uniform Standards for Substance Abusing Licensees
  - D. Delegation of Authority to the Assistant Executive Officer
  - E. Mandatory Cardiopulmonary Resuscitation (CPR) Certification for all licensees
  - F. Comprehensive Revisions/Updates to CCR Article 4 (Sections 330 – 331.16) – Approved Schools & Qualifications of Applicants (Curriculum Requirements)
  - G. Chiropractic Records Retention/Disposition of Patient Records Upon Closure of Practice or Death/Incapacity of Licensee
  - H. Continuing Education Requirements (CE Provider and Course Approval)
  - I. Amend or Repeal CCR Section 354- Successful Examination (Obsolete provision)
- 29. Public Comment for Items Not on the Agenda**

*Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125.7(a).] Public comment is encouraged; however, if time constraints mandate, comments may be limited at the discretion of the Chair.*
- 30. Future Agenda Items**

*Note: The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125.]*
- 31. Adjournment**

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Meetings of the Board of Chiropractic Examiners are open to the public except when specifically noticed otherwise in accordance with the Open Meeting Act. Public comments will be taken on agenda items at the time the specific item is raised. The Board may take action on any item listed on the agenda, unless listed as informational only. All times are approximate and subject to change. Agenda items may be taken out of order to accommodate speakers and to maintain a quorum. The meeting may be cancelled without notice. For verification of the meeting, call (916) 263-5355 or access the Board's Web Site at [www.chiro.ca.gov](http://www.chiro.ca.gov).

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The meeting facilities are accessible to individuals with physical disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting the Board at (916) 263-5355 or e-mail [chiro.info@dca.ca.gov](mailto:chiro.info@dca.ca.gov) or send a written request to the Board of Chiropractic Examiners, 901 P Street, Suite 142A, Sacramento, CA 95814. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

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